

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Bhavesh P. Davda

Serial No.: NOT ASSIGNED

Filed: Herewith

Atty. File No.: 4366-120

For: "METHOD AND APPARATUS  
FOR HOT UPDATING OF  
RUNNING PROCESSES"

) Group Art Unit:

) Examiner:

) INFORMATION DISCLOSURE STATEMENT

"EXPRESS MAIL" MAILING LABEL NUMBER: EV331291712US  
DATE OF DEPOSIT: 8/27/03

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
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UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE AND  
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BOX 1450, ALEXANDRIA, VA 22313-1450.

TYPED OR PRINTED NAME: Mary Anne Davitt

SIGNATURE: *Mary Anne Davitt*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner. Copies of the cited references:

☒ Are enclosed herewith.

☐ Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were submitted to the U.S. Patent and Trademark Office in prior application Serial No. filed, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

☐ To the best of applicants' belief, the pertinence of the foreign-language references is believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

☐ Examiner's attention is drawn to the following co-pending applications, copies of which have been or are being submitted:

Serial No. \_\_\_\_\_ filed \_\_\_\_\_

Serial No. \_\_\_\_\_ filed \_\_\_\_\_

☐ Other: \_\_\_\_\_

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any

reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

### FEES

<input checked="" type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith satisfies one of the following conditions ("X" indicates satisfaction):</p> <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or  <input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or  <input type="checkbox"/> Before the mailing date of a first Office Action on the merits, or  <input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114.         </div> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <div style="margin-left: 40px;">           (1) a final action under 37 C.F.R. 1.113 or            (2) a notice of allowance under 37 C.F.R. 1.311, or            (3) an action that otherwise closes prosecution in the application.         </div> <p>This Information Disclosure Statement is accompanied by:</p> <div style="margin-left: 20px;"> <input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.  <div style="text-align: center; margin: 5px 0;">OR</div> <input type="checkbox"/> A check in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.         </div>
<input type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <div style="margin-left: 20px;"> <input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)  <div style="text-align: center; margin: 5px 0;">AND</div> <input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.         </div>

**Certification (37 C.F.R. 1.97(e))**  
(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).


☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS P.C.

By 

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Date: August 27, 2003

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)	ATTY. DOCKET NO. 4366-120	SERIAL NO. NOT ASSIGNED
	APPLICANT Bhavesh P. Davda	
	FILING DATE Herewith	GROUP ART

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	AA	4,755,995	7/5/88	Anderson et al.	371	9	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO

## OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)


EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	